

SCOTTSDALE

# CITY COUNCIL MEETING



\*\*\*AMENDED\*\*\* SPECIAL MEETING/EXECUTIVE SESSION

NOTICE AND AGENDA (SPECIAL MEETING/EXECUTIVE SESSION ADDED; BOARDS,  
COMMISSIONS AND TASK FORCES ADDED; REGULAR AGENDA ITEM NO. 6 REWORDED)

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## COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Kevin J. Osterman

Tuesday, October 25, 2005

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\*\*\*4:00 P.M.

## City Council Special Meeting **MARKED AGENDA**

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **4:01 P.M.**

**Roll Call** – **ALL PRESENT**

### 1. REQUEST FOR EXECUTIVE SESSION TO:

- A. Review confidential employment documents from the Human Resources General Manager; discussion or consideration of employment, assignment, appointment, salary and other employment terms; and discussion with the finalist for City Attorney, Deborah Robberson. Also give direction to Human Resources General Manager Teri Traaen regarding the above discussion and deliberation with the finalist. Contact: Teri Traaen, Human Resources General Manager, 480-312-2615, [ttraaen@scottsdaleaz.gov](mailto:ttraaen@scottsdaleaz.gov)
- B. Discussion or consultation with the City's attorneys for legal advice regarding the recruitment and hiring process, and to consider its position and instruct its attorneys regarding the public body's position regarding employment terms for the City Attorney that are the subject of negotiations. Contact: Teri Traaen, Human Resources General Manager, 480-312-2615, [ttraaen@scottsdaleaz.gov](mailto:ttraaen@scottsdaleaz.gov)

### 2. MOTION TO RECESS INTO EXECUTIVE SESSION TO:

- A. Review confidential employment documents from the Human Resources General Manager; discuss or consider employment, assignment, appointment, salary and other employment terms; and discussion with the finalist for City Attorney, Deborah Robberson. Also give direction to Human Resources General Manager Teri Traaen regarding the above discussion and deliberation with the finalist. A.R.S. 38-431.03(A)(1) and (A)(2).
- B. Discuss or consult with the City's attorneys for legal advice regarding the recruitment and hiring process, and to consider its position and instruct its attorneys regarding the public body's position regarding employment terms for the City Attorney that are the subject of negotiations. A.R.S. 38-431.03(A)(3) and (A)(4).

**Adjourn to Executive Session** – **4:03 P.M.**

**5:00 P.M.**

**RECONVENE CITY COUNCIL SPECIAL MEETING**

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:09 P.M.**

**Roll Call** – **ALL PRESENT**

**Pledge of Allegiance** – **VICE MAYOR McCULLAGH**

**Invocation** - **NONE**

**Presentations/Information Updates**

**\*\*\*Boards, Commissions and Task Forces**

**Scottsdale Pride Committee.** *Nominees:* Sandra Kaibetony  
Council action to fill one vacancy. – **SANDRA KAIBETONY**

**Public Comment**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "Public Comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

**Approval of Minutes**      **- OK – 7/0**

SPECIAL MEETINGS

REGULAR MEETINGS

WORK STUDY SESSIONS

EXECUTIVE SESSIONS

[October 4, 2005](#)

[October 4, 2005](#)

August 30, 2005

**CONSENT AGENDA**      ITEMS 1 - 3

**How the Consent Agenda Works:** The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a Comment Card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

**1. [Contract for Legal Services in Connection with City of Scottsdale v. Bruce Corey, et al.](#) – **OK – C****

**Request:** Adopt Resolution No. 6758 authorizing the Mayor to execute Contract No. 2003-166-COS-A2, an outside counsel contract renewal in a maximum amount of Sixty Thousand Dollars (\$60,000.00) with the law firm of AYERS & BROWN, P.C. for legal services regarding representation of the City of Scottsdale in the litigation entitled *City of Scottsdale v. Bruce Corey, et al.*, Superior Court Case No. CV2000-017994, an eminent domain action brought to acquire real property for the McDowell Sonoran Preserve.

**Related Policies, References:** Resolution No. 6476

**Staff Contact(s):** Deborah W. Robberson, Acting City Attorney, 480-312-2405,

[dobberson@scottsdaleaz.gov](mailto:dobberson@scottsdaleaz.gov); Robert Cafarella, Preservation Director, 480-312-7013,

[rcafarella@scottsdaleaz.gov](mailto:rcafarella@scottsdaleaz.gov)

# CONSENT AGENDA

Tuesday, October 25, 2005

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2. **Contract for Legal Services in Connection with City of Scottsdale v. Alpine Valley Limited Partnership – OK – C**

**Request:** Adopt Resolution No. 6759 authorizing the Mayor to execute Contract No. 2003-167-COS-A2, an outside counsel contract renewal in a maximum amount of Twenty-five Thousand Dollars (\$25,000.00) with the law firm of AYERS & BROWN, P.C. for legal services regarding representation of the City of Scottsdale in the litigation entitled *City of Scottsdale v. Alpine Valley Limited Partnership*, Superior Court Case No. CV2001-012496, an eminent domain action brought to acquire real property for the McDowell Sonoran Preserve.

**Related Policies, References:** Resolution No. 6519

**Staff Contact(s):** Deborah W. Robberson, Acting City Attorney, 480-312-2405, [drobberson@scottsdaleaz.gov](mailto:drobberson@scottsdaleaz.gov); Robert Cafarella, Preservation Director, 480-312-7013, [rcafarella@scottsdaleaz.gov](mailto:rcafarella@scottsdaleaz.gov)

3. **Contract for Legal Services in Connection with City of Scottsdale v. Bartlett View Properties II Limited – OK – C**

**Request:** Adopt Resolution No. 6760 authorizing the Mayor to execute Contract No. 2003-168-COS-A2, an outside counsel contract renewal in a maximum amount of Twenty-five Thousand Dollars (\$25,000.00) with the law firm of AYERS & BROWN, P.C. for legal services regarding representation of the City of Scottsdale in the litigation entitled *City of Scottsdale v. Bartlett View Properties II Limited*, Superior Court Case No. CV2001-012495, an eminent domain action brought to acquire real property for the McDowell Sonoran Preserve.

**Related Policies, References:** Resolution No. 6520

**Staff Contact(s):** Deborah W. Robberson, Acting City Attorney, 480-312-2405, [drobberson@scottsdaleaz.gov](mailto:drobberson@scottsdaleaz.gov); Robert Cafarella, Preservation Director, 480-312-7013, [rcafarella@scottsdaleaz.gov](mailto:rcafarella@scottsdaleaz.gov)

Regular Agenda begins on the following page

**How the Regular Agenda Works:** The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Comment Card for each topic you wish to address and submit it to the City Clerk. **You will be given at least three minutes to speak per item. Comment cards must be submitted before public testimony has begun on any regular agenda or public hearing item.**

**4. General Plan Cases from Monday, October 24, 2005, General Plan Amendment Meeting (If Needed)**

**Equestria Villas General Plan Amendment – MOTION TO APPROVE – OK – 5/2 (MM, KO)**

**Requests:**

1. Consider a major General Plan Amendment of the Land Use Element from Cultural/Institutional or Public Use to Urban Neighborhoods on a 4 +/- acre parcel located on the south side of McDowell Mountain Ranch Road, 1/4 mile west of Thompson Peak Parkway (9975 E. McDowell Mountain Ranch Road).
2. Adopt Resolution No. 6766 affirming the General Plan Amendment.

**Location:** 9975 E. McDowell Mountain Ranch Road

**Reference:** 10-GP-2005

**Staff Contact(s):** Frank Gray, Planning and Development Services General Manager, 480-312-2890, [fgray@scottsdaleaz.gov](mailto:fgray@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**5. Exclusive Ambulance Provider Contract Approval – MOTION TO APPROVE RESOLUTION NO. 6771, SECTIONS A AND B – OK – 7/0;  
MOTION TO APPROVE RESOLUTION NO. 6771, SECTION C – OK – 5/2 (RM, JL)**

**Request:**

Consider options for ambulance provider services, including:

- Option A: Adopt Resolution No. 6771, approving Ambulance Contract No. 2005-162-COS, Advanced Life Support Labor Services Contract No. 2005-163-COS and Ambulance Staffing Contract Labor Agreement No. 2005-164-COS, and authorizing the City Manager to terminate the Amended Ambulance Agreement with Southwest Ambulance.
- or
- Option B: Adopt Resolution No. 6772, approving Ambulance Contract No. 2005-162-COS and the Advanced Life Support Labor Services Contract No. 2005-163-COS, and authorizing the City Manager to terminate the Amended Ambulance Agreement with Southwest Ambulance.

**Related Policies, References:**

- January 4, 2005 Work Study Session Information Report – City Ambulance Service Options
- April 19, 2005 Council Action Report – Consulting Services to Assist the City in an Open Competitive Process for Advanced Life Support Ambulance Transportation Services
- June 7, 2005 Council Action Report – Interim Ambulance Agreement
- June 28, 2005 Council Action Report- Exclusive Ambulance Provider Request for Proposal (RFP) Process

**Staff Contact(s):** William L. McDonald, Fire Chief, 480-312-1880, [wmcdonald@scottsdaleaz.gov](mailto:wmcdonald@scottsdaleaz.gov)

**\*\*\*6. Contract Modification to the City's Photo Enforcement Contract and Submittal of a Right-of-Way Use Permit for a Loop 101 Photo Enforcement Demonstration Program – MOTION TO APPROVE, INCLUDING AMENDMENTS TO THE CONTRACT – OK – 5/2 (JL, RL)**

**Requests:**

1. Authorize a modification to Contract #2002-072-COS with Redflex Traffic Systems, Inc., to allow for activities associated with the 101 demonstration program, including contract extension through June 30, 2007;
2. Authorize City staff to submit a Right of Way Use Permit to ADOT for a demonstration photo enforcement program on the Loop 101, as outlined in the Council Action Report and at a Council Work Study Session on October 11, 2005.

**Staff Contacts:** Mary O'Connor, Transportation General Manager, 480-312-2334, [moconnor@scottsdaleaz.gov](mailto:moconnor@scottsdaleaz.gov); Alan Rodbell, Police Chief, 480-312-5310, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)

**Public Comment – NONE**

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**City Manager's Report – NONE**

**Mayor and Council Items – NONE**

**Adjournment – 8:29 P.M.**